

# Exhibit 1



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P O Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Ex Parte Reexamination Filing Data - December 31, 2005

1. Total requests filed since start of ex parte reexam on 07/01/81 ..... 7864

a. By patent owner	3251	41%
b. By other member of public	4448	57%
c. By order of Commissioner	165	2%

2. Number of filings by discipline

a. Chemical Operation	2450	31%
b. Electrical Operation	2510	32%
c. Mechanical Operation	2904	37%

3. Annual Ex Parte Reexam Filings

Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.
1981	78 (3 mos.)	1989	243	1997	376	2005	524
1982	187	1990	297	1998	350	2006	121
1983	186	1991	307	1999	385		
1984	189	1992	392	2000	318		
1985	230	1993	359	2001	296		
1986	232	1994	379	2002	272		
1987	240	1995	392	2003	392		
1988	268	1996	418	2004	441		

4. Number known to be in litigation ..... 1800 23%

5. Determinations on requests ..... 7647

a. No. granted ..... 6968 ..... 91%

(1) By examiner	6862
(2) By Director (on petition)	106

b. No. denied ..... 679 ..... 9%

(1) By examiner	644
(2) Order vacated	35

6. Total examiner denials (includes denials reversed by Director) .....	750			
a. Patent owner requester	425		57%	
b. Third party requester	325		43%	
7. Overall reexamination pendency (Filing date to certificate issue date)				
a. Average pendency	22.1 (mos.)			
b. Median pendency	17.3 (mos.)			
8. Reexam certificate claim analysis:	<u>Owner</u>	<u>3rd Party</u>	<u>Comm'r</u>	<u>Overall</u>
	<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>	
a. All claims confirmed	23%	29%	13%	26%
b. All claims cancelled	7%	12%	19%	10%
c. Claims changes	70%	59%	68%	64%
9. Total ex parte reexamination certificates issued (1981 - present) .....	5248			
a. Certificates with all claims confirmed	1371		26%	
b. Certificates with all claims canceled	533		10%	
c. Certificates with claims changes	3344		64%	
10. Reexam claim analysis - requester is patent owner or 3rd party; or Comm'r initiated.				
a. Certificates _ PATENT OWNER REQUESTER .....	2287			
(1) All claims confirmed	530		23%	
(2) All claims canceled	165		7%	
(3) Claim changes	1592		70%	
b. Certificates _ 3rd PARTY REQUESTER .....	2826			
(1) All claims confirmed	824		29%	
(2) All claims canceled	338		12%	
(3) Claim changes	1664		59%	
c. Certificates _ COMM'R INITIATED REEXAM .....	135			
(1) All claims confirmed	17		13%	
(2) All claims canceled	26		19%	
(3) Claim changes	92		68%	